

Environment Committee

JOINT FAVORABLE REPORT

Bill No.: HB-5916

AN ACT REQUIRING SOLAR DEVELOPERS TO PROVIDE FARMLAND
RESTORATION BONDS FOR BOTH PETITION AND APPLICATION

Title: PROJECTS APPROVED BY THE SITING COUNCIL.

Vote Date: 3/14/2025

Vote Action: Joint Favorable Substitute

PH Date: 2/19/2025

File No.:

***Disclaimer:** The following Joint Favorable Substitute Report is prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and does not represent the intent of the General Assembly or either chamber thereof for any purpose.*

SPONSORS OF BILL:

Environment Committee

Co-Sponsor(s):

Rep. Doug Dubitsky, 47th Dist.

Rep. Mark W. Anderson, 62nd Dist.

REASONS FOR BILL:

Currently, State law prevents the Connecticut Siting Council from issuing a certificate approving a two-megawatt or greater solar project on prime farmland or forestland unless the project applicant provides a bond to cover the costs of decommissioning the facility and restoring prime farmland and forestland.

However, at present, there is no such provision requiring a decommissioning bond for those projects approved by declaratory ruling. Projects approved via this method cause similar impacts on the land, yet without these bonds, at the end of the project's lifecycle, landowners themselves must furnish the funds to restore farm and forest land.

Substitute Language LCO 6219:

The substitute language amended the content of the proposed legislation to include projects approved by declaratory ruling (as well as those currently approved by certificate) the existing requirement for decommissioning bonds for solar projects over two (2) megawatts.

RESPONSE FROM ADMINISTRATION/AGENCY:

Melanie A. Bachman, Executive Director, Connecticut Siting Council (CSC) opposes HB 5916 due to the additional costs associated with application processing and because those costs would be passed on to ratepayers and impede state energy policy goals.

NATURE AND SOURCES OF SUPPORT:

James Bernardino, Lobbyist/Legislative Director, Connecticut Council of Small Towns (COST) supports HB 5916 and its efforts to ensure that prime farmland be restored while supporting solar energy projects.

Ella Kennen, Coordinator, New Connecticut Farmers Alliance (NCTFA) supports HB 5916 and its efforts to lower the risk of viable agricultural land being left unusable.

Eliza Paterson, Senior New England Policy Associate, American Farmland Trust, CT Working Lands Alliance supports HB 5916 as it protects valuable agricultural resources that are critical to the economy in Connecticut.

Paul Larson, President, Connecticut Farm Bureau; Tracey McDougall, Executive Director, Connecticut Farm Bureau support HB 5916 and the rights of farmers and farmland owners to restore land once solar facilities have been decommissioned, regardless of the type of application before the Connecticut Siting Council.

Amy Blaymore Paterson, Executive Director, Connecticut Land Conservation Council (CLCC) supports HB 5916 as it provides a good measure of costs associated with facility decommissioning and does not pass the cost of restoring land back to the landowners.

Denise Rodosevich supports HB 5916. Although the siting council includes that farmland soils be preserved, this bill will ensure their restoration.

Brian Holzman, Andrew Middlebrook support HB 5916.

GENERAL COMMENTS:

Donald J. Danila provided general commentary regarding the processes of csc and expressed support regarding the requirement for agricultural land to be restored.

Michael Iverson, Certified Lead Tech, BPI provided general commentary regarding the need to reduce energy waste and stabilize energy costs to improve the economy.

NATURE AND SOURCES OF OPPOSITION:

Cary Lynch, Climate and Energy Policy Manager, The Nature Conservancy in Connecticut opposes HB 5916 due to unclear justification, unfair impeding of solar

development, and slowing the buildout of grid-scale solar. The nature conservancy feels that additional costs associated with the bonds will be passed on to rate payers.

Adam Jackson, Crop Manager, Fairvue Farms opposes HB 5916.

Reported by: Elizabeth Aheart, Casey Larkin

Date: 3/26/2025